

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Transport Department – Establishment – Consideration of the Diploma / Degree Certificates obtained from other State Universities / Boards for promotion of Transport Constables / Senior and Junior Assistants to the post of Assistant Motor Vehicles Inspectors - Orders – Issued.

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**TRANSPORT, ROADS & BUILDINGS (SER.IV) DEPARTMENT**

**G.O.Rt.No. 1379**

**Dated:24 /12/2009**

Read the following:-

1. G.O.Ms.No.71 Transport, Roads & Buildings (Services –IV) Department, Dated: 19/02/2009.
2. Govt. Memo. No.12294/ Ser.IV /2006, Dated: 27/02/2009.
3. Govt. Memo No. 3727/Ser.IV/2006-15, Tr. R&B Dept., Dated 28/02/2009 and 08/09/2009.
4. From the Transport Commissioner Lr.No.1517/C3/2006, Dated 05/10/2009.

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In the reference third read above Government have constituted a Committee to study the issue of appointment of eligible candidates working in the Transport Department to the post of Assistant Motor Vehicles Inspector by way of transfer / promotion and also to suggest suitable guidelines for verification of the certificates of educational qualifications of the candidates for approval of the Government in accordance with the Special Rules as issued in the G.O. first read above.

2. The Transport Commissioner in his Letter third read above has, inter alia, stated that most of the individuals have obtained the Diploma certificates from the Institutes of other States like Rajasthan, Tamilnadu, Maharashtra etc. He has further stated that on the directions of the Government to suggest draft guidelines for consideration of the Government with regard to the verification of the certificates for appointment to the post of Assistant Motor Vehicles Inspector by way of transfer / promotion of the individuals as per the Special Rules issued, he has verified all the original certificates who have obtained their Degree / Diploma Certificates from 8-Universities/ Institutions. The State Board of Technical Education and Training, Andhra Pradesh, Hyderabad has further stated that after detailed examination of the material furnished by the office of the Transport Commissioner, the Secretary, State Board of Technical Education given its report, stating that the Diploma certificates awarded by the State Board of Technical Education, Andhra Pradesh, Hyderabad are genuine. It was further informed that the State Board of Technical Education could not treat the Diploma certificates awarded by the deemed universities as equivalent to the Diploma awarded by the State Board of Technical Education. However, the said Universities are recognized by University Grants Commission and Distance Education Council and Government of India have also recognized the qualifications awarded by the Universities for recruitment purpose in Central Government Services. The Transport Commissioner has placed the report of the State Board of Technical Education before the Committee for consideration. The Committee, after detailed examination accepted the reports of the Secretary, State Board of Technical Education and recommended to the Government that the Degree in Mechanical Engineering OR Automobile Engineering issued by the Jawaharlal Nehru Technological University, Hyderabad and University of Madras, Chennai are accepted for purposes of appointment as Assistant Motor Vehicles Inspector and also the Diploma in Automobile Engineering issued by the various institutes under State Board of Technical Education and Training, Andhra Pradesh, Hyderabad are also accepted. Further, the Diploma in Automobile Engineering of the Institute of Advanced Studies in Education (IASE) deemed University, Rajasthan, the Vinayaka Missions Research Foundation (VMRF), Deemed University, Salem, Tamilnadu and Bharathiya Shiksha Parishad, Uttar Pradesh, Lucknow is not treated as equivalent to Diploma in Automobile Engineering of State Board of Technical Education, Andhra Pradesh, Hyderabad and hence reported that the said diploma certificates cannot be accepted. The Transport Commissioner has categorized the candidates into 8 classes based on the possession of the Qualifications. He reported as hereunder that:-

- a. The candidates of Jawaharlal Nehru Technological University, Hyderabad ;
- b. The candidates of University of Madras, Chennai;

- c. The candidates of State Board of Technical Education and Training, Andhra Pradesh, Hyderabad;
  - d. The candidates of Department of Technical Education, Government of Karnataka;
  - e. Persons possessing the Diploma in Automobile Engineering in Institute of Advanced Studies in Education (IASE), Deemed University, Rajasthan;
  - f. Persons possessing the Diploma in Mechanical Engineering, Bombay;
  - g. Persons who have initially completed certain semesters in Chattisgarh University, which is not recognized by the University Grants Commission, that too, the mark sheets are under investigation by Special Crime Branch, Delhi, the certificates issued by the Vinayaka Mission Research Foundation (VMRF), Salem, Tamilnadu;
  - h. Persons possessing the Diploma in Automobile Engineering from Bharatiya Shiksha Parishad, Lucknow, Uttar Pradesh.
3. He has, therefore, requested the Government to issue necessary guidelines immediately to taken up the promotions or transfer to the post of Assistant Motor Vehicles Inspector.
4. The Transport Commissioner has subsequently furnished the Judgment of Supreme Court of India (Civil Appeal No.4173/2008) Dated 25/02/2009 which dealt with M.A Post graduate degree from Open University system in an examination held by the University without a basic degree of graduation and as such the qualification of the candidates referred to at para 2 (e) cannot be equated on par with the qualifications of candidates referred to at para 2 (a) to 2 (d).
5. Government after careful examination of the matter, hereby observe that:-

- A. There is no dispute with regard to First four classes i.e., 2 (a) to 2 (d),
- B. In so far as class 2 (e) is concerned, the institute which conferred the Diploma in Automobile Engineering in Institute of Advanced Studies in Education (IASE) Deemed University, Rajasthan has been recognized both by the University Grants Commission as well as Distance Education Council. The Distance Education Council (statutory body) informed that as per gazette notification of Ministry of Human Resources Development (MHRD) No.44, Dated 01/03/1995, qualifications awarded through distance education by Institute of Advanced Studies in Education (IASE), Deemed University, Rajasthan are valid for the purpose of employment in posts and services under Central Government and it is further observed that "all qualifications recognized by the Government of India are automatically recognized by the A.P.State Government for employment vide G.O.Ms.No.386, Education (EC.2) Department, Dated 25/10/1994 r/w G.O.Ms.No.409, Education (J1) Department, Dated 18/02/1967 and G.O.Ms.No.2941, Education Department, Dated 14/09/1960. Further one person has been appointed as Assistant Motor Vehicles Inspector with the Qualification of Diploma obtained from Institute of Advanced Studies in Education (IASE), Deemed University, Rajasthan. Having appointed a person with qualification from the Institute of Advanced Studies in Education (IASE), Deemed University, Rajasthan qualifications as Assistant Motor Vehicles Inspectors in the Department, any elimination of the persons who acquired the very same qualification from the said university without there being any distinction in the special rule, may amount to hostile discrimination.

Incidentally, certain Transport Constables who acquired diploma in Automobile from Institute of Advanced Studies in Education (IASE), Deemed University, Rajasthan have approached the A.P.A.T stating that they have satisfied the eligibility criteria and that they may be considered for promotion to the post of Assistant Motor Vehicles Inspector in the available vacancies in O.A.No.11039 of 2009 and the Hon'ble AndhraPradesh Administrative Tribunal passed interim orders to the effect that pending disposal of the O.A., to consider the case of the applicants herein for promotion to the post of Assistant Motor

Vehicles Inspector treating the qualification of Diploma in Automobile Engineering as the basic qualification acquired from the Institute of Advanced Studies in Education (IASE), Deemed University, Rajasthan, subject to their eligibility, suitability, seniority and also as per rules. Therefore, the said diplomas have to be considered for promotion in accordance with the orders issued by the Government in G.O.Ms.No.386, Education (EC.II) Department, Dated 25/10/1994.

- C. In so far as Class 2 (f) is concerned, the qualification possessed by them is Diploma in Mechanical Engineering which is not in conformity with the qualifications prescribed for the post of Assistant Motor Vehicles Inspector and therefore cannot be considered.
- D. In so far as Class 2 (g) is concerned, they have initially completed certain semesters in Chattisgarh University, which is not recognized by the University Grants Commission, that too, the mark sheets are under investigation by Special Crime Branch, Delhi. Hence, the certificates issued by the Vinayaka Mission Research Foundation (VMRF), Salem, Tamilnadu cannot be accepted.
- E. In so far as Class 2 (h) is concerned, the Diploma in Automobile Engineering from Bharatiya Shiksha Parishad, Lucknow, Uttar Pradesh. However, it is not indicated, whether the said Parishad had the recognition of University Grants Commission or not. Therefore, the Transport Commissioner should satisfy himself as to the validity of the qualification conferred by the said Parishad in terms of the possession of recognition by University Grants Commission etc.
- F. It is found that the decision of the Hon'ble Supreme Court referred to at para (4) above cannot be made applicable to the cases of the individuals who conferred the Diploma in Automobile Engineering from Institute of Advanced Studies in Education (IASE), Deemed University, Rajasthan which has recognized both by the University Grants Commission as well as Distance Education Council.

6. Accordingly, Government hereby order that appointment of the in-service candidates of Transport Department to the post of Assistant Motor Vehicles Inspector shall be taken up based on their eligibility as per the qualifications prescribed in the Special Rules governing the said from among the candidates referred to at sub-para (A) & (B) of Para (5) above, after duly verifying the genuineness of the certificates.

7. The Transport Commissioner shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**K. RATNA PRABHA**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Transport Commissioner, Andhra Pradesh, Hyderabad.

**Copy to:**

Law Department.  
P.S to Minister (Transport).  
P.S to Prl. Secretary to Govt. (Transport).  
Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER